

# **JOURNAL OF THE SENATE**

## **EIGHTY-NINTH SESSION**

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TWENTY-SIXTH DAY

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STATE OF SOUTH DAKOTA  
Senate Chamber, Pierre  
Tuesday, February 25, 2014

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Fr. Michael Griffin, followed by the Pledge of Allegiance led by Senate page Sunny Gaughen.

Roll Call: All members present.

### **APPROVAL OF THE JOURNAL**

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the twenty-fifth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Corey Brown, Chair

Which motion prevailed.

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The Committee on Legislative Procedure respectfully reports that SB 78 and 79 were delivered to his Excellency, the Governor, for his approval at 10:45 a.m., February 25, 2014.

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 50 and 52 and finds the same correctly enrolled.

Respectfully submitted,  
Corey Brown, Chair

The Committee on Judiciary respectfully reports that it has had under consideration HB 1077 and 1119 and returns the same with the recommendation that said bills do pass.

The Committee on Judiciary respectfully reports that it has had under consideration HB 1073 and 1125 and returns the same with the recommendation that said bills do pass and be placed on the consent calendar.

Respectfully submitted,  
Craig Tieszen, Chair

The Committee on Education respectfully reports that it has had under consideration HB 1030, 1126, and 1167 and returns the same with the recommendation that said bills do pass.

The Committee on Education respectfully reports that it has had under consideration HB 1181 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Respectfully submitted,  
Deb Soholt, Chair

1 Also MR. PRESIDENT:

2 The Committee on Commerce and Energy respectfully reports that it has had under  
3 consideration HB 1104, 1148, and 1168 and returns the same with the recommendation that said  
4 bills do pass.

5 Also MR. PRESIDENT:

6 The Committee on Commerce and Energy respectfully reports that it has had under  
7 consideration HB 1152 and 1156 and returns the same with the recommendation that said bills  
8 do pass and be placed on the consent calendar.

9 Respectfully submitted,  
10 Ried S. Holien, Chair

11 Also MR. PRESIDENT:

12 The Committee on Agriculture and Natural Resources respectfully reports that it has had  
13 under consideration HB 1185 and returns the same with the recommendation that said bill be  
14 amended as follows:

15 1185rb

16 On the House engrossed bill, delete everything after the enacting clause and insert:

17 "Section 1. That § 41-6-18.1 be amended to read as follows:

18 41-6-18.1. It is a Class 2 misdemeanor for a nonresident to hunt, take, or kill migratory  
19 waterfowl without a ~~special~~ nonresident waterfowl license, ~~a fall three-day temporary~~  
20 ~~nonresident waterfowl license, early fall Canada goose temporary nonresident license,~~ or a  
21 ~~spring snow goose~~ temporary nonresident waterfowl license, a migratory bird certification  
22 permit, and a federal migratory bird stamp, or in violation of the conditions of the licenses or  
23 the rules of the Game, Fish and Parks Commission.

24 A ~~special~~ nonresident waterfowl license, except as otherwise provided in this title, entitles  
25 the licensee to hunt migratory waterfowl for ten consecutive days. Four dollars received from  
26 the sale of each ~~special~~ nonresident waterfowl license shall be placed in the land acquisition and  
27 development fund. The moneys from this fund shall be used to acquire by purchase or lease real  
28 property to be used primarily for game production. This license shall be in such form as the  
29 Game, Fish and Parks Commission shall prescribe.

30 The provision in this section limiting the validity of a ~~special~~ nonresident waterfowl license  
31 to ten ~~consecutive~~ days does not apply in Union, Clay, Bon Homme, Yankton, and Charles Mix  
32 counties; and in such counties, the ~~special~~ nonresident waterfowl license is valid during the  
33 same period as is a resident waterfowl license.

1     ~~The~~ If the Game, Fish and Parks Commission ~~may issue no~~ allocates more than four  
2 thousand ~~special~~ nonresident waterfowl licenses in a calendar year, any increase in the number  
3 of licenses allocated may not exceed five percent of the number of licenses allocated in the  
4 previous calendar year.

5     Section 2. That § 41-6-18.4 be amended to read as follows:

6     41-6-18.4. The Game, Fish and Parks Commission may promulgate rules in accordance with  
7 chapter 1-26 to authorize the department to issue ~~up to two thousand fall three-day temporary~~  
8 ~~nonresident waterfowl licenses, up to two thousand early fall Canada goose temporary~~  
9 ~~nonresident waterfowl licenses, and a number of spring snow goose temporary nonresident~~  
10 ~~licenses to be determined by the department, and to establish the fee therefor, validity of the~~  
11 ~~licenses issued, types of waterfowl to be hunted, and areas in which hunting is permitted. Up~~  
12 ~~to five hundred of the fall three-day temporary nonresident waterfowl licenses shall be made~~  
13 ~~available for use in the counties of Brown, Marshall, Roberts, Day, Grant, Clark, Codington,~~  
14 ~~Deuel, and Hamlin. The commission, in rules promulgated pursuant to chapter 1-26, may~~  
15 ~~establish a process and criteria to allow the issuance of a portion of the five hundred licenses~~  
16 ~~in counties other than those specified if the department determines that such licenses are~~  
17 ~~otherwise likely to remain unsold. Except for the fall three-day temporary nonresident waterfowl~~  
18 ~~licenses issued in Brown, Marshall, Roberts, Day, Grant, Clark, Codington, Deuel, and Hamlin~~  
19 ~~counties, the fall three-day temporary nonresident waterfowl licenses are valid only on private~~  
20 ~~property, but are not valid on private property leased by the department for public hunting or on~~  
21 ~~highways or other public rights-of-way within this state that otherwise meet the requirements~~  
22 ~~of § 41-9-1.3. Any increase in the number of temporary nonresident waterfowl licenses allocated~~  
23 ~~by the commission in a year may not exceed five percent of the number of licenses allocated for~~  
24 ~~the same license type in the previous year.~~

25     Revenue from the sale of ~~fall three-day~~ temporary nonresident waterfowl licenses shall be  
26 deposited in the department's land acquisition and development fund to be used to acquire, by  
27 lease, permit, or otherwise, interests in real property to be used for providing waterfowl hunting  
28 public access ~~in the counties adjacent to the Missouri River. Revenue from the sale of early fall~~  
29 ~~Canada goose temporary nonresident licenses shall be deposited in the department's land~~  
30 ~~acquisition and development fund to be used to acquire by lease, permit, or otherwise, interests~~  
31 ~~in real property to be used for providing waterfowl hunting public access. Before promulgating~~  
32 ~~rules which permit the issuance of fall three-day temporary nonresident waterfowl licenses, the~~  
33 ~~commission shall determine that adequate waterfowl hunting public access has been provided~~  
34 ~~through the department's land acquisition and development fund or through other means."~~

35     1185ttb

36     On page 1, line 1, of the House engrossed bill, delete everything after "Act to" and insert  
37 "revise certain provisions relating to nonresident waterfowl licenses."

1 On page 1, delete lines 2 and 3.

2 And that as so amended said bill do pass.

3 Respectfully submitted,  
4 Shantel Krebs, Chair

5 **MESSAGES FROM THE HOUSE**

6 MR. PRESIDENT:

7 I have the honor to transmit herewith HCR 1021 which has been adopted by the House and  
8 your concurrence is respectfully requested.

9 Also MR. PRESIDENT:

10 I have the honor to return herewith SB 50 and 52 which have passed the House without  
11 change.

12 Also MR. PRESIDENT:

13 I have the honor to transmit herewith HB 1096, 1085, 1111, 1129, 1134, 1142, 1164, 1166,  
14 and 1257 which have passed the House and your favorable consideration is respectfully  
15 requested.

16 Respectfully,  
17 Arlene Kvislen, Chief Clerk

18 **MOTIONS AND RESOLUTIONS**

19 SCR 5 Introduced by: Senator Hunhoff (Jean) and Representative Hoffman

20 A CONCURRENT RESOLUTION, Expressing support for civic education in the public  
21 schools in South Dakota, and recognizing February 26, 2014, as Civic Education Day at the  
22 State Capitol.

23 WHEREAS, civic education is the basis for the establishment of public education in this  
24 democracy and the foundation for an informed and educated citizenry; and

25 WHEREAS, the United States Constitution, the Declaration of Independence, the South  
26 Dakota Constitution, and other primary founding documents and speeches provide the structure  
27 for our democracy; and

1 WHEREAS, more than eighty thousand students in South Dakota have participated in civic  
2 education programs such as Kids Voting South Dakota and We the People, and by participating,  
3 these students are more likely to become civically engaged adults; and

4 WHEREAS, the Chiesman Center for Democracy supports and makes available civic  
5 education programs and activities for all South Dakota youth:

6 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Eighty-Ninth Legislature  
7 of the State of South Dakota, the House of Representatives concurring therein, that the South  
8 Dakota Legislature recognizes the importance of civic education and supports civic education  
9 in all public schools in South Dakota; and

10 BE IT FURTHER RESOLVED, that February 26, 2014, be recognized as Civic Education  
11 Day at the State Capitol.

12 Was read the first time and the President waived the referral to committee.

13 SCR 6 Introduced by: Senators Frerichs, Begalka, Bradford, Buhl O'Donnell, Ewing, Jones  
14 (Tom), Krebs, Lucas, Maher, Omdahl, Otten (Ernie), Rhoden, Sutton, and Welke and  
15 Representatives Gosch, Bartling, Bolin, Craig, Feickert, Feinstein, Gibson, Greenfield, Haggar  
16 (Jenna), Heinert, Hoffman, Hunhoff (Bernie), Kirschman, Novstrup (David), Parsley, Peterson,  
17 Rounds, Schaefer, Schoenfish, Sly, Soli, Tulson, Tyler, Werner, and Wismer

18 A CONCURRENT RESOLUTION, Expressing the Legislature's support for citizens and  
19 communities in eastern South Dakota impacted by severe high water conditions over the last  
20 two decades.

21 WHEREAS, during the 1990s, the Waubay Lakes area in northeastern South Dakota  
22 experienced unprecedented high water levels, an event that continues to the present day and has  
23 caused serious disruption for the people and the economy of the affected area; and

24 WHEREAS, in 1998 the Federal Emergency management Agency (FEMA) declared the  
25 Waubay Lakes region a disaster area; and

26 WHEREAS, the Waubay Lakes area includes Pickerel Lake, Enemy Swim Lake,  
27 Hildebrands Lake, Spring Lake, Waubay Lake, Minnewasta Lake, Rush Lake, Blue Dog Lake,  
28 and Bitter Lake, near the town of Waubay; and

29 WHEREAS, during the extreme high water conditions of the 1990s, which have continued  
30 to the present, several of the lakes in the Waubay area coalesced into single, larger bodies of  
31 water, with Bitter Lake, the terminal lake in the Waubay lake system, receiving water from the  
32 lakes upstream; and

33 WHEREAS, studies at South Dakota State University and related institutions have shown  
34 high water periods in the Waubay Lakes area that resemble the current situation on only three  
35 other occasions in the last one thousand years. Studies indicate that the Bitter Lake outlet has  
36 not been overtopped since the end of the glacial period; and

1 WHEREAS, water levels in this area have fluctuated drastically, with Bitter Lake being dry  
2 in 1934 at the height of the Dust Bowl. At this point it is impossible to predict the duration of  
3 the high water conditions in the Waubay Lakes area; and

4 WHEREAS, the high water conditions have presented immense difficulties for landowners  
5 and agricultural producers, who have had crop and pasture land inundated and out of production  
6 for years, while still being on the tax rolls; and

7 WHEREAS, the high water conditions have presented challenges to local governments,  
8 affecting county and township roads and local water and sewer systems, as well as other  
9 infrastructure; and

10 WHEREAS, the high water conditions have caused serious tensions between various South  
11 Dakota citizens and groups over such issues as public access for recreational purposes and the  
12 intrusion of members of the public into areas that were previously inaccessible and were part  
13 of the producers' agricultural operations; and

14 WHEREAS, finding acceptable solutions to the problems created by high water conditions  
15 without adversely impacting people and property in other drainage systems is a difficult  
16 challenge; and

17 WHEREAS, several other areas in eastern South Dakota have also been affected by high  
18 water conditions during this period and face issues as severe as those in the Waubay Lakes area:

19 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Eighty-Ninth Legislature  
20 of the State of South Dakota, the House of Representatives concurring therein, that the South  
21 Dakota Legislature recognizes the extreme hardship facing the people in the Bitter Lake and  
22 Waubay Lakes areas, as well as other parts of the state that are experiencing extended high water  
23 conditions; and

24 BE IT FURTHER RESOLVED, that the Legislature supports South Dakota's citizens and  
25 communities that have been impacted by extended high water conditions in all efforts to deal  
26 with this crisis; and

27 BE IT FURTHER RESOLVED, that the Legislature recognizes and supports the opportunity  
28 for local citizens and producers to make full use of the water resources in the area for irrigation  
29 purposes and other potential agricultural and economic pursuits, including the use of new and  
30 innovative technologies, practices, and approaches.

31 Was read the first time.

32 SCR 7 Introduced by: Senators Rave, Bradford, Brown, Ewing, Frerichs, Holien, Hunhoff  
33 (Jean), Jones (Tom), Kirkeby, Lederman, Lucas, Maher, Novstrup (Al), Omdahl, Otten (Ernie),  
34 Rhoden, Sutton, Tidemann, Tieszen, Welke, and White and Representatives Munsterman,  
35 Anderson, Cammack, Campbell, Cronin, Ecklund, Gibson, Hajek, Hawks, Hawley, Heinemann  
36 (Leslie), Hunhoff (Bernie), Kirschman, Kopp, Lust, Magstadt, Olson (Betty), Rasmussen,  
37 Romkema, Sly, Solum, Wick, and Wink

1 A CONCURRENT RESOLUTION, Expressing support for all South Dakota high school  
2 students learning and practicing the basic skills of hands-only Cardio Pulmonary  
3 Resuscitation (CPR) prior to graduation.

4 WHEREAS, eighty-nine percent of people who suffer an out-of-hospital cardiac arrest die  
5 because they do not receive immediate CPR from someone on the scene; and

6 WHEREAS, irreversible brain damage occurs after only three minutes of being deprived of  
7 oxygen, and irreversible heart damage occurs within twenty minutes of being deprived of  
8 oxygen; and

9 WHEREAS, the average response time between a 911 call received and an Emergency  
10 Medical Service (EMS) arrival in South Dakota is ten minutes; and

11 WHEREAS, eighty-eight percent of cardiac arrests actually occur at home, making it most  
12 likely that a person who needs to give CPR will be attempting to save the life of a loved one;  
13 and

14 WHEREAS, hands-only CPR can double or even triple a victim's chance of survival; and

15 WHEREAS, learning hands-only CPR can take as little as twenty minutes. In less time than  
16 it takes to watch a television sitcom, a teacher can give students the skills they need to save  
17 someone's life by giving CPR; and

18 WHEREAS, including CPR as a skill taught to all South Dakota high school students would  
19 train an average of eleven thousand students per year; and

20 WHEREAS, many of these students are located in very rural communities and homes which  
21 have much longer EMS wait times than the state average of ten minutes; and

22 WHEREAS, South Dakota has only one hundred twenty-three ambulance services in the  
23 state with some rural services ready to close their doors due to lack of personnel to cover calls,  
24 little money to pay people to be on call, and a shrinking age-appropriate work force available  
25 to even show up for training or calls in their communities; and

26 WHEREAS, ninety-nine South Dakota EMS services are listed as Basic Life Support only  
27 and twenty-five are listed as Advanced Life Support:

28 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Eighty-Ninth Legislature  
29 of the State of South Dakota, the House of Representatives concurring therein, that the  
30 Legislature supports CPR becoming a basic skill that is taught in a required course in high  
31 school: and

32 BE IT FURTHER RESOLVED, that the Legislature encourages school districts to  
33 incorporate hands-only CPR training throughout South Dakota.

34 Was read the first time and the President waived the referral to committee.



1 HCR 1021: A CONCURRENT RESOLUTION, Urging the United States Department of  
2 Agriculture to withdraw certain rules imperiling the South Dakota livestock industry.

3 Was read the first time and referred to the Committee on Agriculture and Natural  
4 Resources.

5 SB 184: FOR AN ACT ENTITLED, An Act to make an appropriation to support the South  
6 Dakota Hall of Fame and to declare an emergency.

7 Having had its second reading was up for reconsideration and final passage, pursuant to  
8 JR 5-13.1.

9 The question being "Shall SB 184 pass as amended?"

10 And the roll being called:

11 Yeas 25, Nays 10, Excused 0, Absent 0

12 Yeas:

13 Begalka; Bradford; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Hunhoff (Jean);  
14 Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Novstrup (Al); Peters;  
15 Rampelberg; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

16 Nays:

17 Brown; Curd; Holien; Jensen; Maher; Monroe; Omdahl; Otten (Ernie); Rave; Rhoden

18 So the bill having received an affirmative vote of a two-thirds majority of the members-  
19 elect, the President declared the bill passed and the title was agreed to.

20 SB 185: FOR AN ACT ENTITLED, An Act to make an appropriation to support the W.H.  
21 Over Museum and to declare an emergency.

22 Having had its second reading was up for reconsideration and final passage, pursuant to  
23 JR 5-13.1.

24 The question being "Shall SB 185 pass as amended?"

25 And the roll being called:

26 Yeas 20, Nays 15, Excused 0, Absent 0

27 Yeas:

28 Begalka; Buhl O'Donnell; Ewing; Frerichs; Jones (Chuck); Jones (Tom); Kirkeby; Krebs;  
29 Lucas; Novstrup (Al); Omdahl; Peters; Rampelberg; Soholt; Solano; Sutton; Tidemann; Van  
30 Gerpen; Welke; White

1 Nays:  
2 Bradford; Brown; Curd; Heineman (Phyllis); Holien; Hunhoff (Jean); Jensen; Lederman;  
3 Maher; Monroe; Otten (Ernie); Rave; Rhoden; Tieszen; Vehle

4 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
5 elect, the President declared the bill lost.

6 **CONSIDERATION OF REPORTS OF COMMITTEES**

7 Sen. Rave moved that the reports of the Standing Committees on  
8 Appropriations on SB 44 as found on page 422 of the Senate Journal; also  
9 Appropriations on SB 53 as found on page 422 of the Senate Journal; also  
10 Appropriations on SB 122 as found on page 422 of the Senate Journal; also  
11 Appropriations on SB 149 as found on page 426 of the Senate Journal; also  
12 State Affairs on SB 110 as found on page 427 of the Senate Journal; also  
13 State Affairs on SB 181 as found on page 427 of the Senate Journal; also  
14 State Affairs on HB 1054 as found on page 428 of the Senate Journal be adopted.  
15 Which motion prevailed.

16 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

17 HB 1085: FOR AN ACT ENTITLED, An Act to revise certain property tax levies for the  
18 general fund of school districts.

19 Was read the first time and referred to the Committee on State Affairs.

20 HB 1096: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
21 challenging of certain election petitions.

22 Was read the first time and referred to the Committee on Local Government.

23 HB 1111: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the  
24 design, construction, and equipping of a veterans home near Hot Springs, to make an  
25 appropriation therefor, and to declare an emergency.

1 Was read the first time and referred to the Committee on Appropriations.

2 HB 1129: FOR AN ACT ENTITLED, An Act to prohibit the use of certain explosive  
3 targets in the Black Hills Forest Fire Protection District.

4 Was read the first time and referred to the Committee on Agriculture and Natural  
5 Resources.

6 HB 1134: FOR AN ACT ENTITLED, An Act to clarify certain municipal powers.

7 Was read the first time and referred to the Committee on Local Government.

8 HB 1142: FOR AN ACT ENTITLED, An Act to enhance the support for public  
9 postsecondary technical institutes and to make an appropriation therefor.

10 Was read the first time and referred to the Committee on State Affairs.

11 HB 1164: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding school  
12 board opening day decision petitions.

13 Was read the first time and referred to the Committee on Local Government.

14 HB 1166: FOR AN ACT ENTITLED, An Act to revise the telecommunications services  
15 program to include current and developing technology.

16 Was read the first time and referred to the Committee on Commerce and Energy.

17 HB 1257: FOR AN ACT ENTITLED, An Act to clarify certain autism spectrum disorders  
18 insurance coverage.

19 Was read the first time and referred to the Committee on Commerce and Energy.

20 **SECOND READING OF CONSENT CALENDAR ITEMS**

21 Sen. Peters requested that HB 1036 be removed from the Consent Calendar.

22 HB 1157: FOR AN ACT ENTITLED, An Act to provide for the retrospective payment of  
23 clean claims for covered services provided by a health care professional during the credentialing  
24 period.

1 Was read the second time.

2 The question being "Shall HB 1157 pass as amended?"

3 And the roll being called:

4 Yeas 35, Nays 0, Excused 0, Absent 0

5 Yeas:

6 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
7 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
8 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
9 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

10 So the bill having received an affirmative vote of a majority of the members-elect, the  
11 President declared the bill passed and the title was agreed to.

12 HB 1042: FOR AN ACT ENTITLED, An Act to revise the penalty for late payment of the  
13 additional original registration tax on aircraft.

14 Was read the second time.

15 The question being "Shall HB 1042 pass as amended?"

16 And the roll being called:

17 Yeas 35, Nays 0, Excused 0, Absent 0

18 Yeas:

19 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
20 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
21 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
22 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

23 So the bill having received an affirmative vote of a majority of the members-elect, the  
24 President declared the bill passed and the title was agreed to.

25 HB 1090: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete  
26 provisions regarding county highways.

27 Was read the second time.

28 The question being "Shall HB 1090 pass?"

29 And the roll being called:

1 Yeas 35, Nays 0, Excused 0, Absent 0

2 Yeas:

3 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
4 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
5 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
6 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

7 So the bill having received an affirmative vote of a majority of the members-elect, the  
8 President declared the bill passed and the title was agreed to.

9 HB 1051: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
10 regulation of captive insurance companies.

11 Was read the second time.

12 The question being "Shall HB 1051 pass as amended?"

13 And the roll being called:

14 Yeas 35, Nays 0, Excused 0, Absent 0

15 Yeas:

16 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
17 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
18 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
19 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

20 So the bill having received an affirmative vote of a majority of the members-elect, the  
21 President declared the bill passed and the title was agreed to.

## 22 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

23 SB 158: FOR AN ACT ENTITLED, An Act to revise certain funding provisions of the  
24 building South Dakota fund.

25 Was read the second time.

26 The question being "Shall SB 158 pass as amended?"

27 And the roll being called:

28 Yeas 35, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
3 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
4 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
5 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

6 So the bill having received an affirmative vote of a two-thirds majority of the members-  
7 elect, the President declared the bill passed and the title was agreed to.

8 SB 157: FOR AN ACT ENTITLED, An Act to make an appropriation to the building  
9 South Dakota fund and to declare an emergency.

10 Was read the second time.

11 157ma

12 Sen. Peters moved that SB 157 be amended as follows:

13 On page 1, line 5, of the printed bill, delete everything after "necessary," and insert "to the  
14 building South Dakota management fund which is hereby created. Interest earned on the money  
15 in the building South Dakota management fund shall be deposited into the building South  
16 Dakota fund. The commissioner of the Bureau of Finance and".

17 On page 1, line 6, delete "for the purpose of funding" and insert "shall transfer money from  
18 the building South Dakota management fund to".

19 Which motion prevailed.

20 The question being "Shall SB 157 pass as amended?"

21 And the roll being called:

22 Yeas 35, Nays 0, Excused 0, Absent 0

23 Yeas:

24 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
25 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
26 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
27 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

28 So the bill having received an affirmative vote of a two-thirds majority of the members-  
29 elect, the President declared the bill passed and the title was agreed to.

1 SB 116: FOR AN ACT ENTITLED, An Act to deposit certain abandoned property into the  
2 building South Dakota fund.

3 Was read the second time.

4 Sen. Maher moved that SB 116 be laid on the table.

5 The question being on Sen. Maher's motion that SB 116 be laid on the table.

6 And the roll being called:

7 Yeas 27, Nays 8, Excused 0, Absent 0

8 Yeas:

9 Begalka; Bradford; Brown; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean); Jones  
10 (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Monroe; Otten (Ernie); Peters;  
11 Rampelberg; Rave; Rhoden; Soholt; Solano; Tidemann; Tieszen; Van Gerpen; Vehle; White

12 Nays:

13 Buhl O'Donnell; Curd; Jensen; Maher; Novstrup (Al); Omdahl; Sutton; Welke

14 So the motion having received an affirmative vote of a majority of the members-elect, the  
15 President declared the motion carried.

16 SB 176: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the  
17 tax relief fund.

18 Was read the second time.

19 176aa

20 Sen. Peters moved that SB 176 be amended as follows:

21 On page 1, line 11, of the Senate State Affairs Committee engrossed bill, delete "March 31,  
22 2015" and insert "January 12, 2015".

23 Which motion prevailed.

24 The question being "Shall SB 176 pass as amended?"

25 And the roll being called:

26 Yeas 29, Nays 6, Excused 0, Absent 0

1 Yeas:

2 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Frerichs; Heineman (Phyllis); Holien;  
3 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Maher; Monroe;  
4 Novstrup (Al); Peters; Rampelberg; Rave; Soholt; Solano; Sutton; Tidemann; Tieszen; Van  
5 Gerpen; Vehle; Welke; White

6 Nays:

7 Ewing; Krebs; Lucas; Omdahl; Otten (Ernie); Rhoden

8 So the bill having received an affirmative vote of a majority of the members-elect, the  
9 President declared the bill passed and the title was agreed to.

10 SB 145: FOR AN ACT ENTITLED, An Act to require schools to provide instruction in  
11 cardiopulmonary resuscitation.

12 Was read the second time.

13 The question being "Shall SB 145 pass as amended?"

14 And the roll being called:

15 Yeas 35, Nays 0, Excused 0, Absent 0

16 Yeas:

17 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
18 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
19 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;  
20 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

21 So the bill having received an affirmative vote of a majority of the members-elect, the  
22 President declared the bill passed.

23 The question being on the title.

24 145jta

25 Sen. Rave moved that the title to SB 145 be amended as follows:

26 On page 1, line 1, of the Senate Health and Human Services Committee engrossed bill,  
27 delete "require" and insert "encourage".

28 Which motion prevailed and the title was so amended.



SB 36: FOR AN ACT ENTITLED, An Act to transfer the functions of the South Dakota Railroad Authority to the South Dakota Railroad Board.

Was read the second time.

The question being "Shall SB 36 pass as amended?"

And the roll being called:

Yeas 33, Nays 2, Excused 0, Absent 0

Yeas:

Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas; Maher; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

Nays:

Krebs; Monroe

So the bill having received an affirmative vote of a majority of the members-elect, the President declared the bill passed and the title was agreed to.

SB 28: FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs related to mountain pine beetle suppression and to declare an emergency.

Was read the second time.

The question being "Shall SB 28 pass as amended?"

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

Yeas:

Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

So the bill having received an affirmative vote of a two-thirds majority of the members-elect, the President declared the bill passed and the title was agreed to.

SB 135: FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to the suppression of mountain beetles through the all lands mountain pine beetle suppression program.

1 Was read the second time.

2 135fb

3 Sen. Rampelberg moved that SB 135 be amended as follows:

4 On page 1, line 5, of the Senate Appropriations Committee engrossed bill, delete  
5 "coordinated natural resources conservation" and insert "general".

6 Which motion prevailed.

7 The question being "Shall SB 135 pass as amended?"

8 And the roll being called:

9 Yeas 29, Nays 5, Excused 1, Absent 0

10 Yeas:

11 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
12 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
13 Lucas; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Rampelberg; Rave; Rhoden; Soholt;  
14 Solano; Tieszen; Vehle; Welke

15 Nays:

16 Maher; Peters; Sutton; Tidemann; White

17 Excused:

18 Van Gerpen

19 So the bill having received an affirmative vote of a two-thirds majority of the members-  
20 elect, the President declared the bill passed and the title was agreed to.

21 SB 137: FOR AN ACT ENTITLED, An Act to make an appropriation to rehabilitate  
22 certain state-owned rail lines and to declare an emergency.

23 Was read the second time.

24 137me

25 Sen. Vehle moved that SB 137 be amended as follows:

26 On page 1 of the Senate engrossed bill, delete lines 4 and 5.

27 On page 1, line 6, delete "six million dollars" and insert "one dollar (\$1),".

On page 1, delete line 7, and insert "or so much thereof as may be necessary, to the railroad trust fund created in § 49-16C-1 for costs associated with the rehabilitation of".

On page 1, line 8, delete "rehabilitate".

On page 2, delete lines 1 and 2.

Which motion prevailed.

The question being "Shall SB 137 pass as amended?"

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

Yeas:

Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

So the bill having received an affirmative vote of a two-thirds majority of the members-elect, the President declared the bill passed and the title was agreed to.

Sen. Brown moved that SB 141 be placed to follow SB 181 on today's calendar.

Which motion prevailed.

SB 177: FOR AN ACT ENTITLED, An Act to make an appropriation to provide contingency funds to be made available for unanticipated costs related to medical services, inmate health care, and health insurance for state employees, and to declare an emergency.

Was read the second time.

177ma

Sen. Peters moved that SB 177 be amended as follows:

On page 1, line 5, of the printed bill, delete "twenty-two million" and insert "twenty-one million five hundred thousand dollars (\$21,500,000), or so much thereof as may be necessary, and twenty-one million seven hundred seventy-one thousand ninety-four dollars (\$21,771,094) of federal fund expenditure authority, or so much thereof as may be necessary, to".

On page 1, delete lines 6 to 10, inclusive.

1 On page 1, line 13, delete "medical services,".

2 On page 1, delete line 14, and insert "health care, and unanticipated costs related to needs  
3 in existing programs in accordance with the provisions of Title XIX and Title XXI of the federal  
4 Social Security Act.".

5 Which motion prevailed.

6 The question being "Shall SB 177 pass as amended?"

7 And the roll being called:

8 Yeas 31, Nays 4, Excused 0, Absent 0

9 Yeas:

10 Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
11 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher;  
12 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
13 Solano; Sutton; Tieszen; Van Gerpen; Vehle; Welke

14 Nays:

15 Brown; Lucas; Tidemann; White

16 So the bill having received an affirmative vote of a two-thirds majority of the members-  
17 elect, the President declared the bill passed.

18 The question being on the title.

19 177fta

20 Sen. Peters moved that the title to SB 177 be amended as follows:

21 On page 1, line 2 of the printed bill, delete everything after "to" and insert "inmate health  
22 care".

23 Which motion prevailed and the title was so amended.

24 SB 44: FOR AN ACT ENTITLED, An Act to create a provider revolving loan fund for  
25 skilled nursing facilities in the Department of Social Services, to make an appropriation  
26 therefor, and to declare an emergency.

27 Was read the second time.

1 44ha

2 Sen. Solano moved that SB 44 be amended as follows:

3 On page 1, line 10, of the Senate Appropriations Committee engrossed bill, delete "may"  
4 and insert "shall".

5 On page 1, line 12, after "." insert "The eligibility criteria shall include:

- 6 (1) The ability of the applicant to service the debt from cash flow operations, capital, or  
7 collateral;  
8 (2) Compatibility with the needs of the community and region;  
9 (3) Evaluation of current and previous financial statements;  
10 (4) If the community can sustain the facility;  
11 (5) Readiness to proceed; and  
12 (6) Compliance with permits and regulations."

13 Which motion prevailed.

14 The question being "Shall SB 44 pass as amended?"

15 And the roll being called:

16 Yeas 35, Nays 0, Excused 0, Absent 0

17 Yeas:

18 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
19 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
20 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;  
21 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

22 So the bill having received an affirmative vote of a two-thirds majority of the members-  
23 elect, the President declared the bill passed and the title was agreed to.

24 SB 53: FOR AN ACT ENTITLED, An Act to make an appropriation to fund the New  
25 South Dakotans and Dakota Roots programs and to declare an emergency.

26 Was read the second time.

27 The question being "Shall SB 53 pass as amended?"

28 And the roll being called:

29 Yeas 31, Nays 4, Excused 0, Absent 0

1 Yeas:

2 Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
3 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
4 Monroe; Novstrup (Al); Peters; Rempelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann;  
5 Tieszen; Vehle; Welke; White

6 Nays:

7 Brown; Omdahl; Otten (Ernie); Van Gerpen

8 So the bill having received an affirmative vote of a two-thirds majority of the members-  
9 elect, the President declared the bill passed and the title was agreed to.

10 SB 122: FOR AN ACT ENTITLED, An Act to require health insurers to cover audiology  
11 services for children

12 Was read the second time.

13 The question being "Shall SB 122 pass as amended?"

14 And the roll being called:

15 Yeas 35, Nays 0, Excused 0, Absent 0

16 Yeas:

17 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
18 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
19 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
20 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

21 So the bill having received an affirmative vote of a majority of the members-elect, the  
22 President declared the bill passed.

23 The question being on the title.

24 122jtd

25 Sen. Sutton moved that the title to SB 122 be amended as follows:

26 On page 1, line 1, of the Senate Appropriations Committee engrossed bill, delete  
27 everything after "Act to" and insert "provide for certain insurance coverage for the treatment of  
28 hearing impairments for persons under the age of nineteen."

29 On page 1, delete line 2.

30 Which motion prevailed.

1 SB 149: FOR AN ACT ENTITLED, An Act to establish a pilot grant program for  
2 alternative care programs for adults with substance abuse issues, to provide a report to the  
3 Legislature, and to make an appropriation therefor.

4 Was read the second time.

5 The question being "Shall SB 149 pass as amended?"

6 And the roll being called:

7 Yeas 23, Nays 12, Excused 0, Absent 0

8 Yeas:

9 Begalka; Bradford; Curd; Ewing; Heineman (Phyllis); Hunhoff (Jean); Jensen; Jones (Chuck);  
10 Jones (Tom); Kirkeby; Krebs; Lucas; Monroe; Novstrup (Al); Omdahl; Otten (Ernie);  
11 Rampelberg; Rave; Rhoden; Tidemann; Tieszen; Van Gerpen; Vehle

12 Nays:

13 Brown; Buhl O'Donnell; Frerichs; Holien; Lederman; Maher; Peters; Soholt; Solano; Sutton;  
14 Welke; White

15 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
16 elect, the President declared the bill lost.

17 SB 108: FOR AN ACT ENTITLED, An Act to accommodate legislation on medical  
18 services.

19 Was read the second time.

20 The question being "Shall SB 108 pass?"

21 And the roll being called:

22 Yeas 31, Nays 4, Excused 0, Absent 0

23 Yeas:

24 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Heineman (Phyllis); Holien; Hunhoff  
25 (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Maher; Monroe; Novstrup (Al); Omdahl;  
26 Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen;  
27 Van Gerpen; Vehle; Welke; White

28 Nays:

29 Frerichs; Krebs; Lederman; Lucas

30 So the bill having received an affirmative vote of a majority of the members-elect, the  
31 President declared the bill passed and the title was agreed to.

1 SB 110: FOR AN ACT ENTITLED, An Act to require state employees to make certain  
2 payments or contributions for health insurance.

3 Was read the second time.

4 Sen. Kirkeby moved that SB 110 be laid on the table pursuant to JR 5-5.

5 The question being on Sen. Kirkeby's motion that SB 110 be laid on the table.

6 And the roll being called:

7 Yeas 34, Nays 1, Excused 0, Absent 0

8 Yeas:

9 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
10 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Krebs; Lederman; Lucas; Maher;  
11 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
12 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

13 Nays:

14 Kirkeby

15 So the motion having received an affirmative vote of a majority of the members-elect, the  
16 President declared the motion carried.

17 SB 181: FOR AN ACT ENTITLED, An Act to define vapor products as tobacco products  
18 for the purpose of regulating the use of the products by minors and to place certain restrictions  
19 on the sale of vapor products.

20 Was read the second time.

21 The question being "Shall SB 181 pass as amended?"

22 And the roll being called:

23 Yeas 31, Nays 4, Excused 0, Absent 0

24 Yeas:

25 Begalka; Bradford; Brown; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean);  
26 Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Novstrup (Al);  
27 Omdahl; Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van  
28 Gerpen; Vehle; Welke; White

29 Nays:

30 Buhl O'Donnell; Maher; Monroe; Otten (Ernie)



1 So the bill having received an affirmative vote of a majority of the members-elect, the  
2 President declared the bill passed and the title was agreed to.

3 SB 141: FOR AN ACT ENTITLED, An Act to make an appropriation to fund certain  
4 scholarship programs and to declare an emergency.

5 Was read the second time.

6 The question being "Shall SB 141 pass as amended?"

7 And the roll being called:

8 Yeas 33, Nays 2, Excused 0, Absent 0

9 Yeas:

10 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
11 Holien; Hunhoff (Jean); Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas;  
12 Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rhoden; Soholt;  
13 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

14 Nays:

15 Jensen; Rave

16 So the bill having received an affirmative vote of a two-thirds majority of the members-  
17 elect, the President declared the bill passed and the title was agreed to.

18 Sen. Rave moved that HB 1061, 1029, 1012, 1015, 1045, 1058, 1079, 1014, 1110, 1069,  
19 1178, 1019, 1081, 1068, 1028, 1033, 1108, 1198, 1050, and 1099 be deferred to Wednesday,  
20 February 26, the 27<sup>th</sup> legislative day.

21 Which motion prevailed.

22 **SIGNING OF BILLS**

23 The President publicly read the title to

24 SB 50: FOR AN ACT ENTITLED, An Act to authorize rule-making authority to establish  
25 record-keeping requirements for insurers and producers.

26 SB 52: FOR AN ACT ENTITLED, An Act to authorize the informal settlement of  
27 insurance examinations.

28 HB 1021: FOR AN ACT ENTITLED, An Act to provide for judicial review of Board of  
29 Regents decisions involving student discipline and residency classification.

1 HB 1031: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the  
2 definition of and the diagnosing of autism and to revise the definition of a level five disability  
3 for purposes of state aid for special education funding.

4 HB 1052: FOR AN ACT ENTITLED, An Act to authorize additional disclosure regarding  
5 certain insurance investigations and examinations.

6 HB 1082: FOR AN ACT ENTITLED, An Act to revise the conditions causing the  
7 suspension of a probationer's probationary period.

8 HB 1107: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete  
9 provisions regarding restraint of trade.

10 HB 1130: FOR AN ACT ENTITLED, An Act to authorize the use of crossbows for  
11 hunting big game animals during the firearm season.

12 HB 1131: FOR AN ACT ENTITLED, An Act to clarify that a credit card is not required  
13 to establish a revolving credit account.

14 And signed the same in the presence of the Senate.

## 15 COMMEMORATIONS

16 SC 27 Introduced by: Senator Bradford and Representatives May and Killer

17 A LEGISLATIVE COMMEMORATION, Honoring the Guptill Ranch of Haakon County as  
18 the 2013 Leopold Conservation Award recipient.

19 WHEREAS, the Leopold Conservation Award, named for renowned conservationist Aldo  
20 Leopold, recognizes farm and ranch families who demonstrate outstanding conservation  
21 leadership on their land and in their communities; and

22 WHEREAS, Pat and Mary Lou Guptill of Haakon County own and operate a 7,000 acre  
23 cattle ranch near Quinn featuring grasslands with rolling hills and a main wooded creek running  
24 through the ranch; and

25 WHEREAS, the Guptills consider themselves and their five children as generational  
26 caretakers of the land, responsible for enhancing the health of the land and water resources; and

27 WHEREAS, a commitment to make the land better for future generations is exemplified by  
28 the Guptill family as the recipient of the 2013 Leopold Conservation Award:

29 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the  
30 State of South Dakota, that Pat and Mary Lou Guptill and their Guptill Ranch are recognized  
31 for earning the 2013 Leopold Conservation Award in South Dakota.

1 SC 28 Introduced by: Senators Vehle, Ewing, Krebs, Lucas, Monroe, Omdahl, and Otten  
2 (Ernie) and Representatives Verchio, Duvall, Feickert, Hickey, Kaiser, Qualm, Rasmussen,  
3 Ring, Russell, Schoenfish, Schrempp, Stalzer, and Steele

4 A LEGISLATIVE COMMEMORATION, Congratulating and honoring Debra Hillmer on her  
5 excellent service to the State of South Dakota.

6 WHEREAS, Debra Hillmer, a dedicated steward to the State of South Dakota from Pierre,  
7 South Dakota, is recognized for forty years of service to the State of South Dakota; and

8 WHEREAS, Debra Hillmer has held the position of director of the Division of Motor  
9 Vehicles since 1990 and has been the driving force behind many of the technological  
10 enhancements; and

11 WHEREAS, Debra Hillmer has helped make significant contributions to state and county  
12 government by moving the Division of Motor Vehicles into the twenty-first century which has  
13 eliminated paper usage for both the state and county and has reduced mailing costs; and

14 WHEREAS, Debra Hillmer continues to be an active member in various organizations and  
15 to make contributions to all of these organizations, including the American Association of  
16 Motor Vehicle Administrators (AAMVA), the International Registration Plan (IRP), and the  
17 International Fuel Tax Agreement (IFTA):

18 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the  
19 State of South Dakota, that the Legislature congratulates Debra Hillmer and recognizes her  
20 outstanding service to the people of South Dakota and extends best wishes for her retirement  
21 and her continued success and happiness.

22 SC 29 Introduced by: Senator Rave and Representatives Langer and Ecklund

23 A LEGISLATIVE COMMEMORATION, Commending and honoring the Garretson Girls and  
24 Boys Cross Country Teams for their success in the 2013 season.

25 WHEREAS, the Garretson Blue Dragons Girls Cross Country Team, consisting of Carmen  
26 Bohl, Haley Sage, Peyton Sage, Teisha Carnicle, Jaden Bly, and Macey Bohl, won the Class A  
27 State Championship held on October 26, 2013, in Rapid City; and

28 WHEREAS, the Garretson Girls Cross Country Team won the state championship in 2009  
29 and 2010, and placed second in 2011 and 2012; and

30 WHEREAS, the Garretson Blue Dragons Boys Cross Country Team, consisting of Evan  
31 Fick, Josh Powell, Jacob Fitzgerald, Josh Liester, Tait Johnson, and Sam Powell, placed third  
32 in the Class A State Championship; and

33 WHEREAS, the Garretson Girls and Boys Cross Country Teams, coached by Jason Bohl  
34 and Geof Furness, won the combined team award at the Class A State Championships by  
35 obtaining a low score of four and won a total of ten meets throughout the season:

1 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the  
2 State of South Dakota, that the Garretson Blue Dragons Girls and Boys Cross Country Teams  
3 be honored for their success in their seasons.

4 SC 30 Introduced by: Senator Rave and Representatives Ecklund and Langer

5 A LEGISLATIVE COMMEMORATION, Commending and honoring the Garretson Boys Golf  
6 Team for its success in the 2013 season.

7 WHEREAS, the Garretson Blue Dragons Boys Golf Team won the Boys Class B State Golf  
8 Tournament held at the Brookings Country Club on May 20-21, 2013; and

9 WHEREAS, under the coaching of Kari Stoltenberg, the Garretson Boys Golf Team had a  
10 total two-day team score of 471; and

11 WHEREAS, Derek Dillion (first place), Dylan Carlson (sixth place), Patrick Whetham  
12 (twelfth place); and Isaac Nelson (twenty-eighth place) worked diligently throughout the season;  
13 and

14 WHEREAS, the 2013 Garretson Boys Golf Team also won the Big East Conference and the  
15 regional tournament and finished first in six out of its seven meets during the regular season:

16 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the  
17 State of South Dakota, that the Garretson Boys Golf Team be commended and honored for its  
18 numerous successes in the 2013 season.

19 SC 31 Introduced by: Senators Welke, Begalka, Buhl O'Donnell, Frerichs, Hunhoff (Jean),  
20 Jones (Tom), Monroe, Novstrup (Al), Omdahl, Rave, and Tieszen and Representatives Feickert,  
21 Bartling, Bolin, Gibson, Greenfield, Hunhoff (Bernie), Killer, Nelson, Parsley, Schaefer,  
22 Schoenfish, Sly, Tulson, Tyler, and Wismer

23 A LEGISLATIVE COMMEMORATION, Honoring Dalton Howe as a recipient of the 2014  
24 Prudential Spirit of Community Award.

25 WHEREAS, Dalton Howe, a respected resident of Redfield, South Dakota, and a student  
26 at Redfield Junior High School, has received national recognition for exemplary volunteer  
27 service by receiving a 2014 Prudential Spirit of Community Award; and

28 WHEREAS, this prestigious award honors young volunteers across America who have  
29 demonstrated an extraordinary commitment to serving their communities; and

30 WHEREAS, Dalton Howe earned this award by giving generously of his time and energy  
31 leading a project to build two youth baseball dugouts at the local ball field to make games safer  
32 for players, including drawing blueprints, obtaining lumber donations, painting lumber, and  
33 securing assistance in the final construction of the dugouts; and

1 WHEREAS, the strength and vitality of our communities, our state, and our society depends,  
2 in great measure, upon the dedication of young people like Dalton Howe who use their  
3 considerable talents and resources to serve others:

4 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the  
5 State of South Dakota, that the Legislature hereby congratulates and honors Dalton Howe as a  
6 recipient of the Prudential Spirit of Community Award, recognizes his outstanding record of  
7 volunteer service, peer leadership, and community spirit, and extends best wishes for his  
8 continued success.

9 SC 32 Introduced by: Senator Brown and Representative Cronin

10 A LEGISLATIVE COMMEMORATION, Acknowledging the Potter County Battlers High  
11 School Football Team for winning the 2013 State 9A Football Championship.

12 WHEREAS, the Potter County Battlers Football Team, with a record of 11-1, won the 2013  
13 State 9A Football Championship under the leadership of the coaching staff, volunteers, and  
14 parents, and the students, coaches, faculty, and the great communities of Gettysburg and Hoven  
15 demonstrated outstanding support and sportsmanship during the quest to achieve the 2013 State  
16 9A Football Championship; and

17 WHEREAS, the Potter County High School Football Team was held together by  
18 extraordinary unity and team spirit throughout the championship season by all of the players  
19 including Jordan Schmidt, Colton Hall, Dalton Storer, Tanner Heuer, Garrett Rausch, Chayce  
20 Hall, Hayden Simon, Carl Cronin, Jacob Rausch, Michael Rausch, Chris Zuber, Caleb Meinke,  
21 Tanner Storer, Ryan Sundberg, Jesse Wheeler, Caleb Hageman, Rease Logan, Dallas Wainman,  
22 Chris Dutenhoeffer, Mitchell Hinckley, Lucas Smith, Treyson Drew, David Long, Jordan  
23 Trujillo, Chance Stuwe, Oriol Magromer, Tim Heien, Travis Siebrasse, Broady Schatz, Luke  
24 Vogel, Trent Donovan, Carson Kirby, Drake Davis, Shane Figgins, Spencer Shaw, Garret  
25 Spindler, Scott Glodt, Aaron Beetsch, and Troy Abler; and

26 WHEREAS, the Potter County High School Football Team was instructed and led by head  
27 coach Vern Smith; assistant coaches Bryce Hall, Brady Hartung, and Keith Scott; manager Nic  
28 Zuber; statisticians Katrina Smith, Kelcey Robbennolt, Shelby Kilian, Tierney Donovan, and  
29 Sierra Wieseler; cheerleaders Lilli Cronin, Regan Everson, Cameron Decker, Alyssa Haberer,  
30 Kali Hansen, and Megan Schrempp; and cheer coach Jessica Larson:

31 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the  
32 State of South Dakota, that the Potter County High School Football Team and its coaching staff  
33 be congratulated and commended for their outstanding performances in the 2013 season.

34 SC 33 Introduced by: Senators Frerichs, Begalka, Buhl O'Donnell, Hunhoff (Jean), Jones  
35 (Tom), Monroe, Novstrup (Al), Omdahl, Rave, Tieszen, and Welke and Representatives  
36 Feickert, Bartling, Bolin, Gibson, Greenfield, Hunhoff (Bernie), Killer, Nelson, Parsley,  
37 Schaefer, Schoenfish, Sly, Tulson, Tyler, and Wismer

1 A LEGISLATIVE COMMEMORATION, Honoring Nathan Duerre as a recipient of the 2014  
2 Prudential Spirit of Community Award.

3 WHEREAS, Nathan Duerre, a respected resident of Bristol, South Dakota, and a student at  
4 Webster Area High School, has received national recognition for exemplary volunteer service  
5 by receiving a 2014 Prudential Spirit of Community Award; and

6 WHEREAS, this prestigious award honors young volunteers across America who have  
7 demonstrated an extraordinary commitment to serving their communities; and

8 WHEREAS, Nathan Duerre earned this award by spearheading a project to remodel the  
9 poultry barn at the Day County Fairgrounds, including applying for a grant to receive funding  
10 for the project, soliciting donations, and recruiting volunteers to help strip cages from the walls  
11 to be replaced with one hundred fifty new cages, and replacing the roof and repairing holes in  
12 the walls of the barn to improve the safety of the barn for both people and animals; and

13 WHEREAS, the strength and vitality of our communities, our state, and our society depend,  
14 in great measure, upon the dedication of young people like Mr. Duerre who use their  
15 considerable talents and resources to serve others:

16 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the  
17 State of South Dakota, that the Legislature hereby congratulates and honors Nathan Duerre as  
18 a recipient of the Prudential Spirit of Community Award, recognizes his outstanding record of  
19 volunteer service, peer leadership, and community spirit, and extends best wishes for his  
20 continued success.

21 SC 34 Introduced by: Senators Van Gerpen, Hunhoff (Jean), Lederman, Novstrup (Al), and  
22 Rhoden and Representatives Nelson, Bartling, Bolin, Hunhoff (Bernie), Qualm, and Schoenfish

23 A LEGISLATIVE COMMEMORATION, Congratulating and honoring Cheryl Hovorka for her  
24 excellent service and leadership to the South Dakota American Legion Auxiliary Girls State  
25 program.

26 WHEREAS, Cheryl Hovorka is endeavoring into her thirteenth year as director of the South  
27 Dakota American Legion Auxiliary Girls State where she has helped bring girls together from  
28 all corners of the state of South Dakota for the Girls State program; and

29 WHEREAS, Cheryl Hovorka facilitates an average attendance of four hundred thirty-five  
30 to four hundred fifty of South Dakota's young women in a program that ranks in the top five in  
31 the nation as well as one of the largest programs for the size of the state; and

32 WHEREAS, Cheryl Hovorka continues to be an active member and recently has been  
33 appointed the Northwestern Division Girls Nation Chairman which encompasses the states of  
34 South Dakota, North Dakota, Minnesota, Nebraska, Wyoming, Montana, and Colorado where  
35 she is responsible for the planning and facilitating of Girls Nation which is held in Washington,  
36 D.C. for a week in July. Ninety-eight girls chosen from forty-nine states participate in  
37 experiencing with practical insight how the federal government works:

Jeannette Schipper, Secretary

